

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

GCIU-EMPLOYER RETIREMENT FUND,)	
and the Trustee of the GCIU-Employer)	
Retirement Fund,)	
)	
Plaintiffs,)	
)	
vs.)	No. 4:06CV254-SNL
)	
THE PUBLICATION PRINTING COMPANY,)	
)	
Defendant.)	

ORDER

This is an action to collect delinquent fringe benefit contributions pursuant to § 301 of the Labor Management Relations Act of 1947, as amended, 29 U.S.C. § 185, and pursuant to § 502 of the Employee Retirement Income Security Act of 1974, as amended, 29 U.S.C. § 1132.

Defendant, The Publication Printing Company, was served with the summons on February 23, 2006 and has not filed an answer or otherwise entered an appearance. The Publication Printing Company is a Missouri corporation. Default was entered on April 6, 2006.

Plaintiffs move for partial judgment by default, submitting in support of their motion a memorandum, exhibits and the affidavit of Matthew J. Wenner. Based upon plaintiffs' motion, the Court finds the following: under the collective bargaining agreement to which defendant is signatory, defendant Publication Printing Company owes plaintiffs \$5,234.00 in contributions for the period of October 2004 through December 2005, based on defendant's unaudited monthly contribution reports. Further, under the collective bargaining agreement, the trust agreement of the Retirement Fund, and ERISA, 29 U.S.C. § 1132(g)(2), defendant owes plaintiffs \$1,964.60 in liquidated damages and \$195.20 in prejudgment interest. The total amount owed by defendant to

plaintiffs, based on unaudited reports for this time period, is \$7,393.80.

IT IS THEREFORE ORDERED that plaintiffs' motion for partial default judgment is **GRANTED**.

IT IS FURTHER ORDERED that partial default judgment be entered in favor of plaintiffs and against defendant Publication Printing Company in the total amount of \$7,393.80.

This partial default judgment does not prejudice any rights plaintiffs have to seek collection of additional amounts that plaintiffs may learn is owed for the period of July 1, 2002 through examination of defendant's books and records, as well as attorneys' and accounting fees and costs incurred in this action.

Dated this 18th day of April, 2006.

A handwritten signature in dark ink, appearing to read "Stephen T. Limbaugh". The signature is written in a cursive, flowing style with a horizontal line extending from the end.

SENIOR UNITED STATES DISTRICT JUDGE